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James Sprunt Historical Monograph

PUBLISHED UNDER THE DIRECTION OF
THE NORTH CAROLINA HISTORICAL SOCIETY
J. G. SPENCER, HISTORICAL EDITOR



The Provincial Council and Committees of Safety
in North Carolina

BY
HERSH, LEWIS BLOCHER, S. M.

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NO. 8



The Provincial Council and Committees of Safety in North Carolina

BY

BESSIE LEWIS WHITAKER, A. M.

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PREFACE

The following study was undertaken by the author at the suggestion of the department of History as a thesis for the degree of Master of Arts. The subject, important as were the organizations whose activities are herein so fully described, has not hitherto received a full and proper treatment, and it is hoped that this monograph will assist in showing how great a responsibility rested upon the committees of safety and also how well that responsibility was assumed.

The main source relied on in the preparation of the study was the Colonial Records of North Carolina. Reference to them is so frequent that it has seemed only necessary to refer to them by the numeral indicating the volume. The work of Dr. E. W. Sikes, entitled *North Carolina—Colony to Commonwealth*, has also been largely used.

The author wishes to express her grateful appreciation of assistance rendered her in the preparation of this paper. The editor also wishes to express his grateful acknowledgements to his colleague, Dr. Louis R. Wilson, for assistance in the reading of the proof.

The foul streams of sedition which through the channels of committees have overflowed this once happy land threaten it with every species of misery, ruin and destruction.—Governor Martin.

THE PROVINCIAL COUNCIL AND THE COMMITTEES OF SAFETY IN NORTH CAROLINA

I.

Introductory. The significance of the system as a type of government.

II.

Description of the system in organization and administrative range from the time of its full formation to its close, including two stages:

1. Provincial Council, District Committee, Local Committee.
2. Council of Safety and Local Committees.

III.

The system as a part of a larger one embracing the foundation plan of Congress centre with the final reversion to the Congress as a Constitutional Convention.

1. Discussion—larger system as a whole.
2. Outline of steps or landmarks in the development of the larger system.

IV.

Functions of the Government. .

1. Provincial Council in its various features of activity.
2. Council of Safety in its various features of activity.

3. Work of County Committees.
 - a. In connection with functions of District Committees.
 - b. In connection with town Committees.
 - c. Inter-relations County Committees.
 - d. Influence traced through the proceedings of the Committees of separate counties.

V.

Summary and Conclusion.

1. Growth, rise and decline of system.
2. Value of the government:
 - a. To the Colony.
 - b. To the State.

THE PROVINCIAL COUNCIL AND THE COMMITTEES OF SAFETY IN NORTH CAROLINA

x: 208 From September 9, 1775, until November 12,
x: 913 1776, a system of government existed in North
Carolina which is worthy of investigation for its
unique combination of democratic spirit and oligarchical
methods—a tyrannical administration by patriots seeking in-
dividual and national liberty.

This plan of government was by no means new to the Col-
ony. The movement which produced it, like other move-
ments of history, was of gradual growth. The first interest
for us is a view of the system as a whole, through its related
divisions and as regards its range of jurisdiction and its
special functions. Then some conception of the probable
origin of the various parts of the governmental machinery is
necessary for any firm footing in confidence and appreciation.
This established, we proceed to watch the growth and de-
velopment of the system and recognize in so doing the field of
its operation, the force and mission of its organization, the
necessity for its influence and the time for its destruction. It
vanished so soon as the purpose of its being was accom-
plished and the way had been prepared for a new govern-
ment with regular, well defined and evenly distributed func-
tions.

The government in North Carolina during the period indi-
cated—September 9, 1775, to November 12, 1776—was that
of the Provincial Council and the Committees of Safety.

The Provincial Council was the central governing body of
the province, but it existed only during the recess
x: 210 of the Congress, and all of its proceedings were
subject to the inspection and approval of the

Congress. It thus filled the place of the Congress when that body was not in session. Having power to call the higher body into operation at any time, it by so doing

x: 212 from time to time put an end to its own activity, which was not resumed until the end of that session of the Congress.

Regularly the Council met quarterly but it

x: 210 might convene as often as deemed expedient, and in the same way adjourn at discretion. It was made up of thirteen members, two from each of

x: 208 the six districts into which the province was divided, and one appointed by the Congress for the State at large.

x: 208 As a force supplementary to the Provincial Council, there was provision for six district committees, viz., Wilmington, New Bern, Edenton, Halifax, Hillsboro and Salisbury. Of these only the first two mentioned seem to have been at all active. District

x: 245 Committees were supposed to sit quarterly at the principal towns within their respective districts and as often at other times as they might judge expedient. Each of these committees was made up of a president and twelve other members, elected in Congress by members of the respective districts. These six committees were designed to aid in the execution of acts of Council (and Congress), to take the initiative in allotted jurisdiction and to exercise supervising influence over the County and Town Committees.

The "plan for the internal peace, order and safety of the province" included a committee for each County of the Province and for every town "having a right of representation in Congress".

x: 212 In reality by no means all the counties seem to have had committees; in like manner the records show separate town committees in few cases. These seem usually operative only when identified with the Committee for the County. The activity of these local committees in a number of cases was tremendous. This will be treated as a special topic in the investigation of committee functions.

x: 212 & 213 The membership of the county and town committee was regulated as follows :

1. Each County Committee was to be made up of not less than twenty-one persons, elected by the free holders of the County.

x: 212 2. In the towns of Edenton, New Bern and Wilmington, the Committee was to consist of fifteen persons elected by the freeholders of the town.

3. Every other town having a right of representation might have a Committee of seven members, elected in the same manner.

x: 213 Town Committees might act in conjunction or be consolidated with the committees of counties in which they were situated. This latter plan must have been followed to a great extent, as will be indicated in the the analysis of the work of the various committees. The time stipulated for the meetings of town and county committees was the first day of their respective courts and as much oftener as they might think necessary. In some

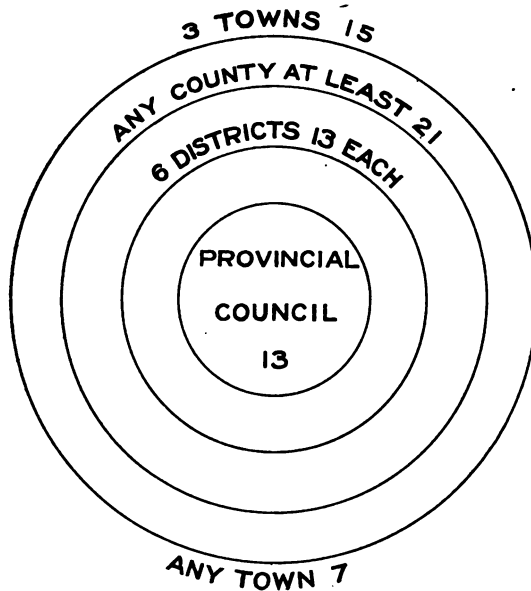
x: 213 instances, during the troublous period, the meetings were so constant as to appear almost like one continuous session, as will be seen in the comparative view of different sections.

x: 164 The system of government, as to this point outlined, was instituted by the Third Provincial Congress which met at Hillsboro, August 20, 1775. This system, marked out as has been said, on September 9, 1775, underwent one great metamorphosis which nevertheless left its essential element intact until the meeting of the Constitutional Convention in November, 1776.

The province, having reached the position deemed at first impossible, could no longer tolerate the term "Provincial", implying allegiance to England. The *Provincial Council* gave place to the *Council of Safety*. That this was in any way due to partisan politics, as has been claimed, seems hardly probable. The change moreover was more than one of name and it was apparently regulated by local conditions.

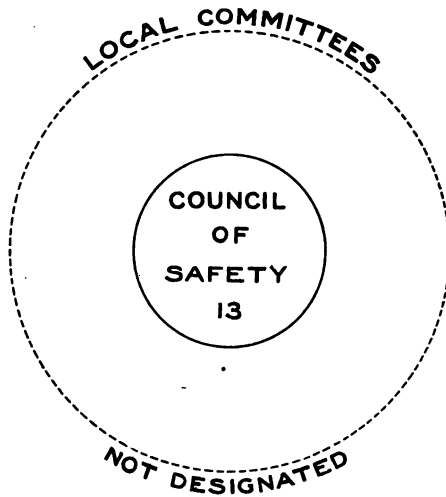
Jones' "De-
fence," page
258; Sikes'
"North
Carolina"
p. 62 (note)

The first plan of government, as outlined in September, 1775, was one of higher central government with wide circles of jurisdiction to insure general efficiency by attention to local needs and interests.



The system in its changed state is simpler and has taken on the centralized form which suggests the determination to guide or to force all parts of the province into uniformity of action. The District Committees, which had proved almost useless, disappeared by legal enactment. The local committees of county or town, ever vigilant in purpose and strong in action, began to subside in activity as their functions were confidently entrusted to a central body, an embodiment of the spirit of all the counties.

The change was this: The central body was made stronger and changed in name. District Committees disappeared. The circle of county committees was less clear as their number and function were left undefined.



The Council of Safety, superseding the Provincial Council, was not restricted to meetings every few months. It was in session continuously and the Provincial Congress seemed to await its call to come into existence. It had no fixed place of meeting and was ubiquitous in influence. It did not depend for transmission of its will upon an intervening set of district committees, but dealt directly with situations that came under its cognizance; at times, seeming scarcely to require even the assistance of the local committees. These, in readiness to execute orders when called upon, no longer assumed the initiative; any advance on their part was apparently in isolated instances for purposes of neighborhood adjustment, as will be shown in the discussion of county activities.

The change in the governmental system was, in effect, the disappearance of a disused organ and the increased range of function for the part of the organism still vital, the exact nature of activity being dependent upon the pressure of environment. In general conception and in essence the new government was a part of the old system. The Council of Safety was a developed form of the Provincial Council, and with it the old system simply reached a new stage.

The political change was effected as follows:

- x: 579 On May 11, 1776, the Fourth Provincial Congress at Halifax—the same body which, abandoning as fruitless the “desire to be reconciled to the mother country on constitutional principles”, empowered the State delegates in the Continental Congress to concur with the
- x: 512 delegates of the other colonies in declaring independence—this same Congress abolished the Provincial Council and the six District Committees of Safety and transferred the power of
- x: 579 both to a Council of Safety, to sit continuously
- x: 580 and at any places convenient to said body. This body was made up of thirteen members, one from
- x: 581 the State at large and two from each district,
- x: 579 elected in Congress. Persons holding military office, etc., were disqualified thereby for membership in the Council. The nature of the power and work of the Council has a place in the more specific analysis of governmental functions.
- x: 682 On July 22, 1776, at Halifax, the Council of Safety received the news of the Declaration of
- x: 696 Independence. The minutes of August 9, 1776, contain the recommendation to the “now independent State of North Carolina” to pay “special attention to the election, 15th October next, for delegates in Congress, as these must form a constitution for the State to be the corner stone of law.” Then follows the order for the election of five delegates for each county to vote in the next Congress. This constitutes the call for the Fifth Provincial Congress, in reality the Constitutional Convention. The prompt action of the Council calling into operation the Constitutional Convention—his call destroying its own being—is worthy of attention as significant of the temper and purpose of the time and the people. The Council of Safety, despite its call for the convention, seemed unable to adjourn, so great was the pressure of business and so many the demands upon its
- x: 696-701 strength. Four additional days of service at Halifax succeeded the call; then followed, in

quick succession, series of meetings in Wake County, Salisbury, and again in Halifax. On the first day of the last session of the Council at Halifax, there was reference to the Provincial Congress to be held at Halifax, November 10, 1776, which actually convened November 12, 1776. On October 25, the Council of Safety ceased to exist.

The peculiarity in the system of government by the Provincial Council and the Committees of Safety, so far as organization and period of sway are concerned, is that, in its fully developed and legalized form, it is only a part of a larger movement which spread in successive waves throughout the province. This movement had been authorized by provincial enactment, August 27, 1774, but had been in existence, practically speaking, since July 21, 1774 and to a certain extent had been familiar to the people since December 8, 1773.

Moreover the germs of the system must have been imbedded in the soil of America from the time it felt the touch of Englishmen; this germ is the tendency towards strong political control through the power of a committee and for the purpose of ultimate liberty in the highest sense.

Before the County Committees became embodied in the system of government as outlined by the Third Provincial Congress, they had reached, in individual growth, a point of commanding local influence. That this is true will be seen from the position of these committees at the time of the Second Provincial Congress. Before this is made evident, the preceding waves of development in the governmental system, already referred to, require some discussion for the purpose of indicating the landmarks of advance. Certain dates, as before suggested, mark the steps in the progress of Committee Government. These lead directly to the position of the Committees at the time of the Second Provincial Congress. After adding this significant date to the advance movement, we are prepared to consider the government instituted by the Third Provincial Congress in its separate parts and various relations. For the progress of events denoting

growth in the system of government may be presented through certain situations:

IX: 741 (1) On December 8, 1773, the Legislature appointed a Committee of Correspondence for the province; this was a definite step towards committee government.

IX: 1016 (2) On July 21, 1774, the call for the First Provincial Congress was made from Wilmington at a general meeting of the inhabitants of the District. Here a Committee was elected to prepare a circular letter to the counties of the province, urging the necessity for electing delegates for a Provincial Council. John Harvey, as appears in a private letter from Samuel Johnston, had declared for "assembling a convention independent of the Governor", after Martin had expressed his intention not to allow another Assembly during the period of disturbance. The last Assembly had been dissolved by the Governor, with the preamble, "Whereas the Assembly of this Province, IX: 955 having assumed to themselves a power unconstitutional, repugnant to the laws and derogatory to the honor and good faith of this province."

IX: 1047 (3) On August 27, 1774, the First Provincial Congress at New Bern authorized County Committees of Safety. In this act we have the proof of the priority of the County Committee, antedating, in legal institution, the District Committee and the Provincial Council—put into operation September 9, 1775, during the session of the Third Provincial Congress at Hillsboro—by more than a year. But by the Third Provincial Congress the County Committees, already in existence, were made a part of a regular corporate administrative system; and it is this system of the *Provincial Council and the Committees of Safety*, in full operation together as the machinery of colonial government, that is to be studied in its activity, its origin and its growth. To return to the significance of the third step in the general advance movement; the origin of the County Committee as legally instituted, is to be found in this "resolve" of the First

IX: 1047 Provincial Congress: "That a committee of five persons be chosen in each county by such persons as accede to this Association (of the Congress) to take effectual care that these resolves be properly observed and to correspond occasionally with the Provincial Committee of Correspondence of this Province."

But the actual origin of county activity is probably more remote. It seems not unnatural that some self-constituted form of the local committee should have come into play as cooperative with the Provincial Committee of Correspondence

IX: 1024 of 1773, though this was primarily for obtaining
IX: 1030 information of the acts of Britain and move-
IX: 1032 ments of other colonies. The assemblies that
IX: 1034 appointed deputies to the First Provincial Con-
IX: 1037 gress which gave its authority to the local com-
IX: 1038 mittees, drew up resolves and proceeded in much

the same manner as the regularly constituted local Safety Committee. These preliminary bodies, issuing instructions to delegates and formulating opinions as to policy, political and economic, may be classed in function with the regularly constituted Safety Committee. Later, meetings of freeholders—after the Provincial Congress—were distinct from the Safety Committees. They were merely elective bodies and, as such, important; they elected delegates to the Provincial Congress and also elected members of the local (town or county) Safety Committee. This Safety Committee, selected through the meetings of freeholders, had not elective function even, as appears later, for filling vacancies in their own body. They had, however, kindred prerogative and obligation in the selection from their own number of a special (inner) Committee of Secrecy and Inquiry—and they had also power for the appointment of military officers and the judiciary for certain courts.

(4) The power and position of the local Committees at the time of the Second Provincial Congress may be shown through references to them at this juncture. The Address
IX: 1191 of Governor Martin to the Assembly, April 4, 1775, contains the following: "The meetings

to which the people have been excited, the appointment of committees, the violences these little unrestrained and arbitrary tribunals have done to the rights of his majesty's subjects; the flagrant and unpardonable insults they have offered to the highest authorities of the State by some of their acts, which have been made public; and the stop which has been put in some of the counties to the regular course of justice but too plainly evince their progress here." The reply to the

Governor's charge is of this nature: "The committees appointed by the people in the several towns and counties of this Colony, in consequence of the resolutions of the Continental Congress held at Philadelphia were the result of necessity, not choice, as the only means left them to prevent, as far as in them lay, the operation of those oppressive and unconstitutional acts of Parliament, endeavored to be imposed upon America by Great Britain and that the Assembly have not been informed of any steps taken by those Committees but such as they were compelled to take for that necessity and for the salutary purpose aforesaid." From these expressions on both sides it is evident that the Committees were exercising decided influence and making themselves felt as a great force to be met.

This interchange of sentiment, between Governor Martin and the people, regarding Committee influence, took place during the time of the noted confusion of Assemblies when the body under English auspices and the one under revolutionary colonial leadership met at New Bern at the same time and with much the same membership; Harvey presided over both in the two capacities of President of the one body and Speaker of the other. The revolutionary body which caused the complication of proceedings had been convened because, as was explained, "the people had no right to expect that the Assembly would be permitted to meet till it was too late to send delegates to the Continental Congress at Philadelphia."

The Governor's usual expedient, resorted to in ordering the Congress, on April 5, 1775, "to break up the said meeting and to desist from all such illegal, unwarrantable and dangerous proceedings," and

ix: 1187

ix: 1211

his dissolution of the Assembly, April 8, 1775, because of its resolves "tending to alienate the affections of his Majesty's subjects"—these proclamations of dissolution left full scope to the Provincial Government, the backbone of which was Committee jurisdiction. Thus the waves of development in the tendencies of government have reached that point of legalized incorporation of the local committees in the system put into operation by the Third Provincial Congress—the point toward which we were advancing.

Having surveyed the progress towards organized Council and Committee government, we conclude that in the process of growth there may be seen:

1. A preliminary preparation for the Government by Council and local committee in the existence of a General Committee of Correspondence for the Colony, which may have been the germ of Council idea, and in the meetings of freeholders throughout the Colony for patriotic interests. This period may be said to end with the First Provincial Congress.

2. A foundation government with the Congress centre, and effective numerous local committees, this period extending from the First to the Third Provincial Congress, a period of about one year.

3. The actual government of *Provincial Council and Committees of Safety*, covering a period of something more than a year, but broken into two well-defined stages:

- A. The Government by Provincial Council and Committees of Safety in district, town and county (these last growing in number and influence), extending through a period of about eight months, from the Third to the Fourth Provincial Congress, which instituted:

- B. The government by the Council of Safety, another form of the Provincial Council, with constantly increasing functions, supplemented by the local committees which are now on the wane in number and activity and whose powers are absorbed by the Council. This last stage of the system, covering about six months, ends with the calling of the Constitutional Convention by the retiring Council of Safety.

Considering separately the parts of this government by Provincial Council and Committees of Safety, it may be seen that

1. The Provincial Council came into being through an enactment of the Third Provincial Congress at Hillsboro on September 9, 1775. It was abolished, or more properly speaking, transformed on May 11, 1776, through the substitution of a similar central body, the Council of Safety, by the Fourth Provincial Council at Halifax.¹

The Council of Safety, coming into operation simultaneously with the disappearance of the Provincial Council proper, continued in full force until it adjourned at Halifax, Oct. 25, 1776, to give place to the Constitutional Convention, the body called into existence by the act of the retiring Council.²

2. The District Committee of Safety is not so easily traced, for the records of its operations are meagre. Like the County Committee, it seems to have had some
 x: 24 activity in Wilmington before its regular incor-
 x: 25 poration in the system formulated by the Third Provincial Congress. But compared with the County Committee, the activity was slight. The Congress evidently intended the District Committee as a far more vital force than it ever became. Members for each of the six District Safety Committees—of Wilmington, Hillsboro, New

¹SESSIONS OF THE PROVINCIAL COUNCIL:

1. Johnston Court House, Oct. 18-22, 1775.
2. Johnston Court House, Dec. 18-24, 1775.
3. New Bern, Feb. 28-March 5, 1776.

²SESSIONS OF COUNCIL OF SAFETY.

1. June 5-15, 1776, Wilmington.
2. June 19-July 16, 1776, Dobbs Co.
3. July 21-Aug. 13, 1776, Halifax.
4. Aug. 21-28, 1776, Wake.
5. Sept. 5-12, 1776, Salisbury.
6. Sept. 27-Oct. 25, 1776, Halifax.

Bern, Edenton, Halifax and Salisbury—were at once selected by the Congress.¹ The extent of jurisdiction was definitely marked out for the District Committee. The actual work of these bodies will be discussed in connection with the functions of the government as a whole, when the Proceedings of Wilmington and New Bern District Committees will be indicated.

Besides the minutes of the Wilmington District for two meetings there are records of eight meetings at New Bern. In addition there are some references to other District Committees which will be gathered together from the minutes of the various proceedings throughout the province.

3. The local committees were for both town and county, but the two blended, as will be shown later, so as scarcely to require separate treatment. The County Committee, with its remote origin, its legalized separate existence, from the time of the First Provincial Congress and its incorporation into a regular system by the Third Provincial Congress, was the most active factor of the body politic until the law of the Fourth Provincial Congress put the Council of Safety in operation. From that time the County Committee declines in prominence. The Council, holding its sessions in various parts of the province, became as it were, a supreme authority in each locality and the county committees though utilized to some extent to the end of Provincial gov-

DISTRICTS.

- .1XXIV:237 SALISBURY: Anson, Rowan, Mecklenburg, Tryon, Guilford, Surry, Burke, and Dist. of Washington.
HILLSBORO: Orange, Granville, Wake, Chatham and Caswell.
HALIFAX: Halifax, Northampton, Edgecombe and Bute.
EDENTON: Chowan, Perquimans, Pasquotank, Currituck, Bertie, Tyrrell, Hertford, Martin and Camden.
NEW BERN: Craven, Carteret, Beaufort, Johnston, Hyde, Dobbs and Pitt.
WILMINGTON: New Hanover, Bladen, Onslow, Duplin and Cumberland.

ernment, were gradually lost sight of as an independent power.

Having examined the machinery of the system of Provincial Government as a whole and through its separate parts, and having watched its rise and decline in a general way, we have still to investigate the vital functions of the government. These were of immense range, practically embracing the entire gamut of the legislative, the executive and judicial.

The powers of the Council as outlined by the Third Provincial Congress were about as follows: It was authorized to certify appointments of officers in the army during the recess of Congress and to fill vacancies; to suspend members of army or militia when deemed necessary for the public service; to order court martials; to direct, in conjunction with subordinate committees of safety, all military affairs of the province; to reject at discretion officers chosen by the people; to compel debtors about to remove from the Province to give security, etc., etc., and to draw on the Treasury sums necessary for public service. In general, the Provincial Council was empowered "to transact all matters as members might judge expedient to strengthen and defend the Colony, so as the same shall not extend to altering or suspending any act or resolution of the Congress."

The Council was responsible to Congress for its proceedings and for an itemized account of moneys used for the public service. The Council could not set aside a sentence of Court Martial; this was subject to the confirmation of Congress. These restrictions, apparently of no practical significance, and the one prohibiting action counter to any Resolve of Congress may seem only formal. In effect, the power of the Council seems identical with that of Congress. Thus were the functions of the large central body, composed of at least five persons from each county of the Province, transferred, during the interim of Congressional sessions, to a body of thirteen persons, with assistants to do its bidding

in the local Safety Committees throughout the province.

The minutes of the Provincial Council contain an extensive range of proceedings in many fields. Among the military enactments are the following: Officers of military companies were confirmed; certain rights of appointment, etc., were assigned to Captains. Orders were issued for enlisting minute men; for military training; for securing arms and ammunition; for division of certain regiments; for rearranging battalions according to decree of Congress; for regulation of military rank; for providing military escort for conveyance of powder from point to point; for dismissal of certain militia; for the listing of men in service; for recruiting; for resisting hostile troops; provision for report of Captains to Committees of towns and counties, of districts, etc.

The appointments by the Council extended over a large field. They were for such positions as these: Commissioners for Edenton, New Bern, Wilmington and Salisbury districts; Commissioner and paymaster for District of Hillsboro. Vacancies were filled in the District Committee of New Bern. Persons in each of the six districts were appointed to make guns. Treasurers for the northern and southern division districts of the province were selected.

The enactments for financial necessities were numerous. Each of the two public treasurers in northern and southern districts was empowered to draw on the general (Continental) Treasurers for sums within certain limits. The Council authorized orders on treasurers for proclamation money, for provisions, arms and ammunition, medicines, care of soldiers in hospitals, clothing for troops, extra cost of recruiting parties, payment to messengers of state, completing fortifications, erecting breastworks, and for particular military movements.

The special orders are of a miscellaneous nature. Troops were to be supplied with blankets; express was sent to delegates of Continental Congress; vessels were chartered at ports of New Bern, Edenton and Wilmington; security laws were made for protection of creditors. Orders were given for making of carriages for cannon; for the care of lead; for

additional rations for soldiers for providing barracks. There was a rejection of a petition for shipping naval stores; any order for securing, with help of military if necessary, certain public papers of the Court of Chancery; advice for suppression of disaffection, etc. Among the decisions were these: Paymasters not to be regarded as military officers and, therefore, not disqualified for seats in Provincial Congress; premature election of delegates and committeemen in certain counties legalized; late elections in certain counties authorized, etc.

Some of the regulations which concern town, county and district management are of special value in indicating relative power, function and organization, while others show merely a certain amount of supervision on the part of the Council. Days were designated for elections in Wake and Tryon counties. Local committees were authorized to make regulations for security of debts; this is followed by an explanation to the effect that the function is impracticable for the Council, as creditors have to await the session of the Council to make application. There may be a suggestion in this communication of the conditions which led to the gradual taking on of power and the later independence of the local committee. Town and County and District committees were urged to forward military service. Committees of Wilmington and Brunswick were advised to prevent communication from the Province with Governor Martin; correspondence with Martin to be inspected for approval by Committee of Town and by commanding officer in town. The Wilmington District Committee was empowered to cut off supplies to ships of war in the Cape Fear river; there seems to be some recognition of the position of the District Committee as superior to that of the County. An election in Onslow County was set aside on account of the refusal of the Committee to subscribe to the "Test"; the Council recommended a new election. A recommendation appears for an election in Surry County, advice being for five representatives or less to Congress, and twenty-one or more Committeemen. There were orders to Town and County Committees for the appointment of persons to take care of gunpowder, saltpetre and sulphur of vicinity.

An order to the Committee of Safety for the District of Salisbury, "to meet the first Tuesday of February next for dispatch of business," is another one of the rare allusions to District Committees whose minutes are lacking. Town and County Committees were ordered to furnish captains of minute men and militia with copies of the "Test" recommended by the Provincial Congress; failures to sign the "Test" were to be reported. Suspected persons of town and county were to be disarmed by order of local committees.

There were Resolves which reveal something of the relations with other colonies: The President of the Council to correspond with Councils of Safety of Virginia and South Carolina; to solicit gunpowder from South Carolina (draft on Continental Treasury to be given); to appoint Committee of two to confer at Charles Town with Committees from Councils of Safety of South Carolina and Georgia, in accordance with recommendation of Continental Congress; Committee of three to confer with Committee of Safety of Virginia.

Among the general resolutions hardly admitting of classifications are these:

Request to Continental delegates to transport gunpowder from Pennsylvania; request to Continental delegates for literature to counteract influence of Tory pamphlets; exclusion of persons not signing "Test" from benefit of security laws; prohibition of export of provisions from province without leave of Congress, except in case of return in port of salt, arms or ammunition. Resolves of appreciation are found; thanks to Colonel James Moore and troops for late services in suppression of insurrection of Highlanders and Regulators; tribute to Colonel Howe for services in Virginia, etc. These minutes contain also orders such as the one for conveying General Donald McDonald, taken prisoner at battle of Moore's Creek, to Halifax prison.

The penal jurisdiction to uproot disaffection and prevent objectionable influence was a great feature in the transition provincial government. It is possibly even more prominent in the work of local committees and that of the Council of

Safety than in the acts of the Provincial Council. In the minutes of this body we find such decisions as the following:

Certain persons to be tried by the District Committee of Halifax where witnesses are convenient; this ruling has a double interest in two connections already alluded to. It is a second reference to one of the District Committees whose minutes are lacking; and the "trying of cases where witnesses are convenient" is another clue to the growth of business for the local committee. There is another reference to the Committee of Perquimans County — one of those lacking minutes — in the requirement of some bond for good behavior (in connection with commercial interests) to be given that Committee. The remaining resolutions are illustrative of regular proceedings and not otherwise of import — e. g., a ruling against the holding of a militia position by person inimical to the cause; an order for delivery of two prisoners from the *Syren* man-of-war, on parole at New Bern, to Committee of Halifax; order for close confinement in jail of one who has expressed a wish that "America would be subdued this instant"; an order for court martial; and instructions for use of necessary force in compelling attendance of witnesses at next Provincial Congress at Halifax, in case of insurrection of Highlanders and Regulators.

When the Provincial government reached its second stage and the Provincial Council gave place to the Council of Safety, the proceedings were of a somewhat different type. The action of the Council of Safety, on the whole, seems even more strenuous, confident, direct and extensive than that of the Provincial Council. For as practically the only legislative, executive and judicial power of the province, except the now declining local Safety Committee, on it — this body of thirteen members — devolved the whole machinery of civil government, besides the crushing of disaffection and the management of military affairs. The efficiency and enterprise of the local committees — despite the inaction of the districts as such — were so great as to leave hardly a need for the Provincial Council. Though it per-

formed its assigned functions, the actual duration of its three sessions was not all of three weeks. Its successor, the Council of Safety, with new powers and moving from place to place in the province, acting alone, with no legal semblance of District Committees and with the County Committees fast losing significance, this body consumed, in almost continuous session, about four months.

The Fourth Provincial Congress which on
 x: 579 May 11, 1776, instituted the second stage of this government, abolished the Provincial Council
 x: 581 and the District Committees and outlined the functions of the Council of Safety: "All mat-
 x: 581 ters heretofore taken cognizance of by the late Provincial Council or the several late commit-
 tees of safety of this Province and undetermined shall be taken cognizance of by the Council of Safety:"

"The Council thus constituted to be vested
 x: 580 with power to execute all things necessary for the defence and protection of the colony, provided they shall not abrogate any resolution of Congress, emit bills of credit, levy taxes or duties, draw on the Continental Treasury, erect offices or courts, or try or condemn *except where permitted by Resolve of Congress.*" But the Resolves of Congress included the assignment of most of these prerogatives to the Council, and if any were
 x: 580 omitted there is no evidence of the fact in the acts of the Council.

Express powers were stipulated for trying and
 x: 580 restraining those inimical to the interests of America. Within a liberal limit, the Continental Treasury was open to the order of the
 x: 580 Council. Special recommendation was made to the Council to establish Court of Admiralty and to appoint judges of same, besides port officers, commissioners, etc.

Nothing less than an outline of some of the proceedings of the Council will serve to show the range of interest and the remarkable power and efficiency of this body.

At the time of the Council of Safety administration, political situations and necessities were becoming complicated. The principal needs to be met were those of internal peace, defence against England, and protection against the Indians. Relations with other colonies and co-operation with these, for mutual aid, were prominent at this period of administration. Salt and gunpowder were the absolutely necessary and sometimes almost unobtainable articles. The fact had its effect on commercial regulation. The Council was in touch with the South Carolina delegates in the Continental Congress at Philadelphia and in harmony with Continental spirit.

The minutes of the Council regarding military matters include the setting aside — according to privileges granted in advice from the Continental Congress — of a ruling by the Congress on September 3rd, directing two North Carolina battalions under Moore to proceed to New York. Among the military enactments, we find an order to Brigadier General Person to furnish men from the Hillsboro brigade, with Colonel James Taylor in command, to join Brigadier General Rutherford on the western frontiers; an order to General Rutherford to send three hundred men from Salisbury District to join the Virginia forces against the Cherokees; an order for troops stationed by Rutherford to continue on the frontiers of Tryon County; a countermanding of the order for troops from Hillsboro, as Rutherford's force had proved sufficient for the protection of the frontiers, etc.

North Carolina was endeavoring to unite with South Carolina against the Cherokees of the lower valleys, and with Virginia against the overhill Cherokees. An independent Company, at Occacock, was ordered to convey iron ordnance to Pamlico Sound to be transported thence to Virginia; stipulations were made as to manner of procuring and guarding gunpowder; General Moore instructed to report condition of troops; to station forces at New Bern and Wilmington, etc.; General Howe to reclaim soldiers of regular North Carolina army enlisted unjustly by South Carolina; also to remand all North Carolina troops now in Georgia. These re merely

illustrative acts relating to military affairs, and in this field, besides campaign orders, there were army appointments, and minute directions for trial for delinquencies, provision of arms, distribution of *Military Guides* to soldiers, etc., etc.

The financial appropriations made by the Council range from £3, to £3,000. Provision for contingencies was considerable. Accurate calculation as to this feature of government is impracticable; but rough estimate of partial expenses gives a result of £197,277. Outlays were liberal, and minutiae, as well as great powers of state, received attention. The minutes contain records of orders on the treasury to cover expense for salt works; musket makers; a certain cargo; imported gunpowder; payment of militia; examining alleged lead mines; bringing prisoner to council; support of prisoner on parole; disarming Tories; apprehending deserters; obtaining iron; recruiting; needs of Commissaries etc., etc.

Among the general orders are instructions for valuation of land in Cartaret County; gunpowder from Virginia to be sent to a certain point; purchase of Osnaburgs for tents (quantity specified); supply of blankets and clothing for troops; search for public papers in Cumberland County; valuation of imported cannon; purchase of provender for Light Horse at Cross Creek; Commissioner to be dispatched to northern states to contract for making pig iron; horses in possession of persons in Bute and Granville counties to be brought in good order to next Congress; persons having guns used in service in expedition against the Tories to bring same to Council or make good the value; stopping sale of salt in Cumberland County, except to private families; regulation of the selling price of salt; certain delivery of salt from Cross Creek out of quantity intended for Granville; salt taken by court martial at Cross Creek to be received by Commissioner of County of Wake for distribution among the soldiers of late expedition to Moore's Creek; salt to those superintending iron-works; salt to those on late expedition and to families of those now in service against Indians; application for kettles for boiling salt to be pressed to the point of forcing owner to sell for payment in

dollar bills of state — the man had demanded Continental or proclamation money; wagons to convey load of bacon and pork to Wilmington to be disposed of there; beef and pork in danger of damage to be sold at a sacrifice in Tarboro.

Salt and gunpowder, obviously the predominant interests in these orders, were also vital features in matters of commercial relations, as exportation was allowed on condition of return importation of cargoes of salt, arms and ammunition. Commercial decrees were important elements of Council government. There are records of orders such as these: Purchase of boats by Captains of Independent Company of sea coast; Admiralty judge to proceed with trial of the *King William* seized as British property; port commissioners to receive manifest of cargo before allowing vessels to proceed, (military to be utilized for purpose if necessary); sundry vessels which had been sunk to obstruct navigation and had been taken possession of, to be subject to order of Council or Congress; materials for armed vessel *King Tammany*, to be supplied to Commissioners at Edenton out of Wilmington public stores; the *King Tammany* to protect trade at Occacock Bar until return of the *Pennsylvania Farmer*, to cruise between 32° and 35° lat., within eighty leagues of shore, then to return to Occacock; corresponding orders for the *Pennsylvania Farmer*, alternating service with *King Tammany*; change of plan for those vessels on account of unfitness of the *Pennsylvania Farmer* to proceed, and probability of appearance of Jamaica fleet; the brig *General Washington* to protect trading vessels in the Bar; appointment of Commander and other officers of brig *Betsy* in Edenton Bay, bound to Europe with cargo of tobacco; rescinding appointment of officers for the brig *Betsy* on account of owners' objections and matter left to the Committee of Edenton. Maritime courts were established by the Council at Edenton, Bath, Wilmington and New Bern.

Among the special permits of the Council, there are a number of commercial import. Leave is given in certain cases to proceed against enemies of the thirteen colonies as if

the letters of Marque and Reprisal solicited from the Continental Congress had already been received; in special cases, and finally as a general ruling, there was granted the privilege, before alluded to, to all vessels to export to French, Dutch or neutral West Indies, cargoes of oak staves, etc., on the condition of certain return imported cargoes; a certain brig *Polly* is allowed to depart; leave is given for the purchase for Bermuda of a cargo of provisions in this colony; a grant is made endorsing an appeal to Congress in a certain case regarding a grievance against the Council in matter of the brig *William*.

The Recommendations of the Council endorse certain exchange of prisoners; advise Washington District (the settlement of Watauga and Holstein) to send a delegation to the Provincial Council to submit application for incorporation in the state; instruct officers marching against Indians to restore to Washington District property taken from the people by Indians instigated by British; express opinion as against allowing any soldiers besides voters at ensuing election of delegates throughout the State.

The records of the Council include mention of communications with other colonies; e. g., the following: Received from Virginia two tons gunpowder; order, as cited elsewhere, to deliver iron ordnance to Virginia; the order for men from the Salisbury District to join Virginia forces against the Cherokees; permission to Georgia to recruit soldiers (other than those already enlisted) in North Carolina. Besides the intercourse with other colonies, there was frequent exchange of letters, etc., with the State and Continental delegates. The full description of North Carolina conditions and needs with request for the procuring and transmission, by wagons, of gunpowder and iron plates for salt pans, would serve as the typical letter from the Colony to their Continental delegates.

The disciplinary acts of the Council form one of their greatest channels of activity. These are some of the items of the minutes: Suspension of a Captain of Independent

Company for neglect of duty; removal from County of Brunswick to New Hanover and security £500 required for good behavior on account of a charge of correspondence with the enemy; certain Mrs.———and Mrs.———to remove from Wilmington to some point twenty miles up the river (supposition a charge of objectionable sentiment); escaped prisoners to be returned to Halifax; order for a removal, within ten days, from residence in New Bern to the County of Dobbs for two months to return on bond (offence, using inimical influence). Numerous cases occur of summons on suspicion of disaffection; fines for refusal to serve in militia; one Rev. Mr.———of Orange, forced to move at his own expense, under military oversight, into certain locality of Perquimans—he had failed to obey a milder order; certain men were separated by being put on parole in different localities; in some cases a considerable range of movement was allowed in the parole, in others the parole was strict and oversight close; and actual confinement in jail was as frequent as the parole. Occasionally there is note of some proceeding not directly concerning disaffection, as in efforts to apprehend a highwayman. An action of some special interest was that against a “New Light” Baptist preacher of Anson who persisted on religious grounds, in declaring views against bearing arms. He was put on parole in Edenton.

But perhaps the greatest energy displayed by the Council was in the detection and punishment of those guilty of passing counterfeit money. This seems to have supplied a motive to the Council in the choosing of locality for a session of their body. The culprit was strictly dealt with and many cases were dispatched.

The impression from the penal proceedings of the Council is nevertheless one of great care in pronouncing judgment. There were many cases of discharge after the required promise of “good behavior” on the taking of the oath. Parole was frequently extended. There were cases of release accompanied by the naturalizing edict; there were discharges from custody with and without bond; grants were given for depart-

ure from America (upon application); complete exoneration with full explanation seems to have been occasionally among the acts; finally, very decided advice was given for release of certain state prisoners in Philadelphia.

The later resolutions of the Council contain allusion to the New Test oath, necessary after the change of North Carolina from province to state — or after the Declaration of Independence. Even at this late period there were recommendations for persuasion of malcontents and disaffected.

The Council of Safety, having caused the general Proclamation of the Declaration of Independence and recommended the election of delegates to the Constitutional Convention and settled the last needs of the province, went out of existence; and left it to the representatives of the people to provide for the needs of the State.

A subject of special interest in the recommendations of the Council of Safety is found in the advice to County Committees. The Fourth Provincial Congress which instituted the government by the Council of Safety is not specific as regards the authority of the local committee below that of the District power which was abolished. True the phrase, used in vesting in the Council all power which had been formerly exercised by the "late Committees of Safety in the Province"

x: 581 might be understood as including the County Committees. But these did not go out of existence. There are records of meetings after this period and the recommendations of the Council, just alluded to, testify to the fact that County Committees were recognized and utilized till the end of transition government in North Carolina. These last recommendations to the various local committees must be reserved for a place in the discussion of the latest period of county activity. At present they are mentioned merely as a significant feature of the proceedings of the Council of Safety.

The history of the County Committee, that most important factor in provincial government, to be given in outline from the period preceding the First Provincial Congress, will be

considered in connection with the slight activity of the District Committee. The work of the occasional town committee will also be regarded as in organic relation with that of the County.

The proceedings of fourteen counties, with an aggregate of something like one hundred and eighty-five meetings, to be considered in this sketch, with a glance at committees of other counties where minutes are lacking, may serve to indicate the range in function of the local committees of Safety in the State. If there were committees in all the counties, as J. Seawell Jones seems to think, they were probably of the same general type as those on record. There are indications of some distinctive trends of interest in different parts of the State, but, in general, the committee proceedings of different counties reveal similar methods and a common purpose.

Jones' "De-
fence": p,
201.

J. Seawell Jones says: "The advancement of the great American cause and not justice was the motto of the County Committees. They not infrequently usurped the powers of the County Court and subjected the gravity and reason of the law to the control of the popular will." He refers also to their "passing of the bounds of Congressional decree in the use of the whipping post and the dungeon." Sabine writes: "The wise man of Israel said, 'a brother offended is harder to be won than a strong city.' Those who took upon themselves the sacred name of sons of liberty needlessly and sometimes in their very wantonness offended, beyond all hope of recall, persons who hesitated and doubted and who for the moment claimed to occupy the position of neutral." This author regards some of the work of the Committee as the exercise of mob law. Yet he states that "wherever there was defection, conspiracy or treason, there were to be seen the the stealthy footsteps of some one or more loyalists"—that there were bands of Tories lying in wait for the unarmed, and another class endeavoring to emit

*American
Loyalists:*
p. 75.

*American
Loyalists:*
p. 74

and pass immense sums of counterfeit money in order to aid in the depreciation of Continental money—that Gov. Martin

*American
Loyalists:*
p. 5-9

succeeded in embodying a force of fifteen hundred men—that nearly or quite nine hundred and fifty of Ferguson's command at Kings' Mountain were Tories—that in the Battle of

Moore's Creek, Colonel Caswell took eight hundred and ninety-four prisoners, every man of whom, officers and soldiers were

*American
Loyalists:*
p. 27

loyalists—that in Anson County, Governor Martin had two hundred and twenty-seven loyal addresses; in Guilford, one hundred and fifteen; in Rowan and Surry, one hundred and ninety-five—

that the banks of the Cape Fear river, the valleys of its remote sources, and the territory bordering on the Deep and Haw rivers, which embrace the present counties of Moore, Orange, Chatham, Guilford and Randolph, and then as now comprising the very heart of North Carolina, were overrun with Tories—also that in the County, of Cumberland, the adherents of the crown outnumbered the Whigs and led to the ravaging of estates.

In such a situation, feeling the weight of British oppression and later animated by the spirit of independence, with no Governor and no courts, except the ineffectual county tribunals, some vigorous action on the part of the State may be accounted for. Arbitrary as were the committees, there is no doubt, as Rumple remarks in his history of Rowan County, that they “awakened zeal, suppressed disaffection, embodying militia companies, providing ammunition, supporting the cause of freedom.”

In working through the confusion of meetings of freeholders, Safety Committees of County and town—these in separate and combination forms, district committees, district and town committees as one and joint meetings of different counties—in passing through this web of meetings to something like clear analysis, there are a few facts and principles of importance. These, mentioned before to an extent, require emphasis here.

1. The first meetings of freeholders, while primarily for the election of delegates to the First Provincial Congress, assumed something of the nature of the County Safety committee as afterwards constituted by the Congress; later freeholders' meetings were distinct from Safety Committees and yet the source of these as controlling the membership.

2. In most cases the town committee seems to have been lost in the county committee, though in a few instances, perhaps, they remained separate bodies.

3. Occasionally the town was so completely the centre of activity as to absorb all county interests and thus the latter merged in the former, instead of the reverse.

4. District Committees were not active bodies. From the first, the local committees seem to have gone beyond the orders of the superior bodies and to have left them nothing to do.

5. Of the occasional combination bodies there were three types which will be pointed out in special cases in the course of this analysis.

(a) The union of District and County or Town.

(b) The joint meeting of County and Town.

(c) The co-operation of two County Committees through the presence in the one of representatives from the other.

And in one case to be mentioned there is a combination of "(b)" and "(c)".

6. Meetings were by no means confined to the regular, legally stipulated times but were called at discretion, which seems often to have been in quick succession.

The records included in this review show the meeting in Rowan County, August 8, 1774, as the first of the local committee meetings, and that in Chowan, Oct. 15, 1776, at Edenton, as the last.

The first meetings in Rowan, Pitt, Johnstone, Anson, Granville, Chowan and Halifax were assemblies called to elect delegates to the First Provincial Congress, the primary object of which was the selection of delegates to represent North Carolina at the Continental Congress in Philadelphia.

Probably there were meetings of freeholders in other counties for the same purpose, but these at least resembled somewhat the later Safety Committee.

Between the opening of the First and Second Provincial Congresses, the meetings recorded are as follows:

- 2 meetings in Rowan,
- 7 in Pitt,
- 3 in Chowan,
- 1 in Halifax,
- 27 in Wilmington,
- 3 in Craven.

Between the opening of the Second and Third Provincial Congress:

- 4 meetings in Rowan,
- 9 in Pitt,
- 22 in Wilmington,
- 2 for District of Wilmington,
- 6 in Craven,
- 1 in Northampton,
- 1 in Tryon.

Between the beginning of the Third Provincial Congress and the First Provincial Council:

- 5 meetings in Rowan,
- 4 in Pitt,
- 5 in Wilmington,
- 3 in Craven,
- 1 in Tryon,
- 5 in Surry.

In like manner, between First and Second Provincial Council:

- 5 in Rowan,
- 4 in Pitt,
- 1 in Halifax,
- 10 in Wilmington,
- 1 in Tryon,

Between Second and Third Provincial Council:

- 3 in Rowan,
- 3 in Pitt,

- 19 in Wilmington,
- 8 for District of New Bern,
- 3 in Tryon.

Between the opening of the Third Council and Fourth Congress:

- 1 meeting in Pitt,
- 1 in Wilmington.

Leaving the first for the second stage of the Council System, we have, between the beginning of the Fourth Congress and First Council of Safety:

- 2 meetings in Rowan,
- 1 in Pitt.

After the Council of Safety session begin, local committee meetings appear rare. We note only the following:

- 1 in Pitt near the close of the second session of the Council of Safety in Dobbs county,
- 1 in Pitt during early part of third session of the Council of Safety at Halifax,
- 1 in Rowan, latter part of the same session of Council,
- 1 in Rowan during first part fourth session of Council in Wake county,
- 1 in Guilford (minutes not recorded), and
- 1 in Orange during same session of Council,
- 1 in Chowan during first part last and sixth session of Council at Halifax.

Thus we have noted meetings as follows:

- 24 in Rowan,
- 32 in Pitt,
- 1 in Johnson,
- 1 in Anson,
- 1 in Granville,
- 5 in Chowan,
- 3 in Halifax,
- 84 in Wilmington,
- 2 in Wilmington District,
- 8 in Craven,

8 in Craven,
9 in New Bern District,
1 in Northampton,
6 in Tryon,
4 in Surry,
1 in Orange,
1 in Guilford.

These, if not complete, are sufficient to supply types of the local committees throughout the Province.

In general, the subjects which occupied the attention of the Provincial Council and the Council of Safety were those which consumed the time of the committees. Each Committee elected from its members its inner Committee of Secrecy and Inquiry and then passed to its legislative, judicial and executive work, as business developed.

In the meetings which preceded the First Provincial Congress, the committees approved the calling of the Provincial Congress and the convening of a Continental Congress, and formulated views as to policy, etc. After the meeting of the First Congress, the committees had only to approve the Resolves of Congress and proceed to meet practical and immediate needs. The County of Rowan, as

"Rowan
County"
p. 147,
148.

Rumple remarks, "showed itself in the forefront of liberal and patriotic opinions." Its place of meeting was Salisbury, and here, as appears generally the case in other counties, there seems to have been no town committee distinct from that of the County.

Some of the resolutions, recommendations and proceedings in Rowan, for the twenty-four meetings, from August 8, 1774, throughout the persistent work of the Committee extending at least as late as the Fourth Session of the Council of Safety, may be briefly indicated.

We find the conventional resolution of loyalty to the House of Hanover; the protest against action of British ministry and parliament; approval of American union for self-protection; opinion in favor of non-importation; encouragement of

home manufacture; decision that objectors to the Resolutions of the Provincial Congress should be branded as "enemies to the Country." There is an acknowledgement to the deputies to the Provincial Congress from county and town; financial provisions; appointments; address to militia; orders for list of taxable property, census rolls, etc. The signing of the Test Oath to insure faithfulness to the American cause was required; advice was published as to dangerous nature of the Governor's proclamation, etc. The special Committee of Correspondence and Inquiry investigated and reported infringements of the law of the Provincial Congress. Censure and instructions followed pertaining to matters such as excess selling of rice, gunpowder, the publication of an objectionable paper called "Protest," which was ordered placed on whipping post and gallows in token of its contemptible character. Censure was not confined in any of the counties to ordinary rebuke. Imprisonment was common. But the minutes of Rowan contain a considerable number of pardons and discharges. There were a number of special grants of permission by the Committee for the bringing of suits, besides orders for security and confiscations to protect creditors, etc. Relations with other counties may be seen from some of the proceedings: As, decision to apply to neighboring counties for gunpowder; to send to Tryon a prisoner accused of plots with Indians; to solicit friendly conference with people of Yadkin for purpose of quieting disaffection; consideration of complaint from Surry about some seizing of some guns; advice to Committees of Brunswick, Wilmington and Cross Creek to prevent communication with Governor Martin.

The form used in Rowan County to denounce one refusing to sign the "Test" or to follow requirements of the Committee is, in effect, the same as that of other counties and illustrates the nature of Committee disfavor:

"Resolved, therefore, that———by disavowing all connection with his county in the present measure has, as far as in his power, relinquished the rights of the people and

opposed them, to be illegally and unconstitutionally taxed by the British ministry, which has a tendency to spread sedition amongst his majesty's loyal subjects in the County of Rowan. For which he is justly deemed by this committee an enemy to his country and should be treated as such by all his majesty's loyal subjects in America."

The character of the functions of the local committees corresponded in general to the work of the Provincial Council and the Council of Safety. The mode of procedure in Rowan County, as just outlined, is typical of the method and scope of the other local committees. A full description of the business dispatched by these local committees would involve much repetition. Therefore, it is hoped that the attempt to select somewhat distinctive features only, from the committees now remaining for discussion, will serve to show the whole work without conveying any sense of disproportion in the accomplishments of the various sections of the State. This by no means implies however that all parts of the State were equally active. The Wilmington Committee, without question, occupies the leading place; its geographical position combined with other circumstances necessitated constant vigilance. But the other committees seem to have performed their work in full accord with the demands and the spirit of the time.

The Pitt County Committee meetings in Martinboro extend from August 15, 1774, to July 23, 1776. The County is thus noticeable for early activity and late disappearance, its last recorded meeting, so far as we have seen, being during the Third Session of the Council of Safety. Its activity, throughout the period of Provincial government, also seems distributed so as to suggest that it was constant and uniform.

Pitt County is inclined to elaborate the theory of the rights of government in those first Resolves against British encroachments. An early plan was made for contributions for the relief of Boston as was also the case in other counties. Patrols were appointed and given power to shoot resisting negroes. In addition to the usual investigation and summoning to appear before the Committee, is an arraignment for

disrespectful reference to the proceedings of Congress. Culprits were advertised in the papers when necessary. One Rev. Mr. — is advised, for the sake of peace, to release his people from his twenty-year parish engagement.

The Committee approved the Resolution of Craven County; a letter was read relative to a prisoner from the District Committee of New Bern; there is a receipt for powder from the District Committee of Edenton. The last item is particularly significant as the first indication of the existence of
x: 422 an Edenton District Committee.

The one record made in this sketch for Johnston County is for a meeting of August 12, 1774, prior to the First Provincial Congress. The Resolves of the County include expressions of the principles underlying America's position; they are similar to those formulated in other counties but with additional special stress on the right of America to free legal trials and the illegality of trials beyond seas. The Committee of Correspondence, etc., was appointed as in the other counties.

The record for Anson is also for the one meeting, August 18, 1774. The Resolves were regular—i. e., in accord with those of other counties—and particularly full and explicit. The special recommendation is for entire suspension of commerce with Britain; also for the suspension of certain suits.

In the meeting of Granville, August 15, 1774, the Resolves were regular, with some distinctive emphasis. The stress on the theory of government, as was the case in Pitt County, is noticeable, and there is in Granville, a particularly complete outline of grievances, with comments on the right of reverting to the charter. Yet there is a conservative tendency in the Granville recommendations. The sympathy with Boston on account of British wrong is not made to include necessarily the full approval of Boston's course of action; suspension of commercial intercourse is considered radical, and suspension of proceedings of law, dangerous.

Chowan County Committee meetings to be noted are four in number; one before the First Provincial Congress, three

between the sessions of the First and Second Congress, and one, the very last local committee meeting we have to record, taking place October 15, 1776, during the last session of the Council of Safety at Halifax. One of the three meetings between the First and Second Congress, that of February 4, 1775, is recorded as a town, not a county meeting. There is nothing apparent in the nature of business to mark off the town from the county committee at this meeting; there was an order for the selling of imported goods, according to a ruling of the Continental Association, and a resolution of thanks to a party countermanding an order for goods, as coöperative with plan of Continental Congress. Two of the meetings of Chowan County may not have been at Edenton, as the proceedings are dated merely from private houses.

The Chowan Resolves and proceedings are regular; in general, perhaps, less full than those of Granville. Besides the usual order of business, we note two points of some interest, viz., a new charge as responsible for summons before the Committee, and an economic departure of significance. The summons was for horse-racing, which had been prohibited. Rowan had recommended encouragement of home manufacture, and the general spirit of the country was in favor of it; but Chowan County seems to be the only one recorded as offering premiums for this purpose. A part of the amount was realized by public subscription and a minor part supplied in proclamation money, the whole amounting to £90. The premiums were for the manufacture of the best and greatest quantity of wire wool and cotton cards, woolen cloth and linen and steel. Occasionally in the records there is some letter from a Safety Committee bearing date not corresponding to any date of regular minutes. This is the case with a late communication, 25th July, 1776, from Edenton, in which is reported a contemplated mob attack from Perquimans County, to sieze forcibly a supply of salt in Edenton.

Halifax County has on record a meeting before the First Provincial Congress, one between the First and Second Congress, and one between the First and Second sessions of the

Provincial Council. These must have been ample for all needs of the locality, considering the fact that Halifax formed the centre of Provincial government during the time of the Fourth Provincial Congress, April 4–May 14, 1776, and in July and September, 1776, when the second and sixth sessions of the Council of Safety were in operation.

The Halifax Safety Committee meetings are noticeable only for their regular conventional proceedings, inclining somewhat towards the conservative as regards commercial policy and general plan of action.

Wilmington's Safety Committee meetings extend from Nov. 23, 1774, through March 7, 1776, including, so far as this investigation has revealed, a total of eighty-four meetings.

There are minutes for twenty-seven meetings in the period preceding the Second Provincial Congress, twenty-two meetings between the sessions of the Second and Third Provincial Congress, besides three meetings of the rarely appearing Wilmington District Committee. Again, this Committee appears in session five times between the Third Provincial Congress and the First Provincial Council and ten times between the First and Second Provincial Council. Persistent still, it has nineteen meetings between the Second and Third Provincial Council and one about one month before the Fourth Provincial Congress. Finally the Wilmington Committee must have been elevated to its supreme function when it seems lost. For Wilmington becomes the centre of government when the first session of the Council of Safety is in progress. No local committee seems inclined to self assertion or to activity of any kind during the ten days of Council of Safety proceedings at Wilmington.

The work of the local Safety Committee of this port town which seemed in touch with conditions in all the counties of the province, in other colonies, in England and on the seas, requires some special discussion, although its range of activity has been seen, in general, in the operations of other county committees and in the final jurisdiction of the Council of Safety.

In Wilmington there was distinct movement towards the combination of the county and town committee.

ix: 1127 The minutes of February 20, 1775, contain the resolution to send formal messages to each member of town and county committees in order to secure a joint meeting on March 6th. At this (February 20th) meeting

ix: 1128 it appeared that a majority of the joint committee was lacking. Another movement on this occasion was the proposition that the joint committee of New Hanover and Wilmington send two members to attend a committee meeting of Duplin County any day after March 6th

ix: 1150 — and that Duplin be invited to send two representatives to Wilmington for the meeting of March 6th. On this date the chairman of Duplin County, pursuant to Wilmington's proposition, was in attendance.

ix: 1151 On March 7th, three members of the Wilmington Committee were selected to attend the meeting in Duplin. These two meetings — the one recorded for Wilmington and the one indicated for Duplin — belong to the apparently rare type of the joint committee which has a place entirely separate from the District Committee with its regular membership for a certain set of counties. The records of the County of Duplin appear lacking; but its activity may be inferred through more than the one reference alluded to. It has a representative at the District of Wilmington

x: 24 session, June 20th, 1775, and three members at

x: 112 Wilmington, July 21, 1775, when there were also present representatives from Cumberland, Onslow, and Bladen.

Wilmington's minutes contain a call to the Committees of the District to meet on the 20th of June; a request to the District Committee of Salisbury to order troops to Wilmington — another evidence of the existence of a committee in that District; a communication with the Chairman of Brunswick Committee in regard to some return of goods — this a reference to another County Committee; regrets to Wake County on account of inability to supply gunpowder, and thanks to

Bladen County for apprehension of culprits — these communications may or may not have been to actual committees within these counties; a resolution against further transmission of secret papers to Cumberland County “until that Committee of Intelligence has taken the oath of secrecy” — a valuable reference to an organized Safety Committee which seems later to have gone out of operation.

The Wilmington committee seems to have issued commercial and military orders in one continuous stream of resolves. There were military orders for enlistments; for meeting Colonel Howe on way to Fort Johnston; for supplies for hospitals and provisions of guns. Cargoes of guns and negroes were ordered reshipped. The form of command was as follows:

“The Committee for the town, chosen to observe the conduct of all persons touching the Association of the General Congress, have resolved . . . etc.; it is expected that you, etc.” Confiscations and imprisonments were sufficient to compel compliance. But in some cases there were voluntary appeals to the Committee for advice regarding disposition of cargoes or return of slaves, etc., and the acceptance of committee decisions in these cases seems to have been without complaint.

Among the general rulings of the Committee may be found such items as recommendation to the province to support South Carolina in the levying of soldiers; to intercept Governor Martin in his progress to the back country; to collect troops, etc. Finally, communication with Martin was cut off; there was a special resolve prohibiting attendance of his majesty’s Council on the sloop of war; provisions and medicines might be carried to the vessel only by special permit.

A resolve of indignation regarding the exception of North Carolina in the trade laws of England was passed by the Wilmington Committee; a resolution of thanks was decreed at the proper time to the soldiers who had demolished Fort Johnston and its traitor commander; there was, in general, decided interest, from the first, in all the Resolves of the Provincial Congress and in the urging of meetings of the Con-

gress. Such selections from the minutes may illustrate the Committee spirit.

The disciplinary acts of the Wilmington Committee were strict and numerous. They extended to the control of horse races, the billiard table and the dances or balls even in private homes. There were dealings with enemies to country as usual; imprisonments; requirements to recant or leave the country within three days; denunciation of the "false scandalous and seditious"—to quote description by the Committee—and orders in refractory cases for closer and closer confinement. Yet, as in other counties, some care was used in decisions; there were some acquittals, and persons under arrest were occasionally allowed to depart to other colonies (an instance noted, to Massachusetts and Rhode Island) after investigation of claims had been satisfied.

The absolute independence of the Wilmington Committee, with its determination to enforce its power to the utmost, and its willingness at the same time to keep strictly within its own bounds in jurisdiction, may be seen with remarkable clearness in two separate acts of the Committee, of decided significance when thus considered together :

In one case, an order was given for release of a certain prisoner and for cessation of all proceedings against
x: 262 him, on the ground that suit had been brought (in the *County* court) without the proper required
x: 332 sanction and coöperation of the Committee. In the other case referred to, the Committee nullified its own election of some members of its body, chosen to fill vacancies, and referred the matter of election for said vacancies to the freeholders of the County, with an acknowledgement of a mistake in the exercise of illegal power. It is of some interest also to note the names of these mem-
x: 334 bers, elected and set aside by the Committee, on the list of those next chosen by freeholders for Committee service.

The District Committee of Wilmington has nothing on its records to mark it as of superior nature to the committees of

counties and towns. We find entries like the following: Letter from Cross Creek read and approved; Governor's proclamation read and committee of three appointed to reply to same; defeat of a motion for certain leave for importation of house servants; decision to apply to Cumberland County for gunpowder for public use; appointment of patrols for control of negroes; resolve that "Association" of New Hanover stand as the Association for the District — the last item suggesting early leadership of the County rather than dictation of the district.

Craven County shows activity in three Committee meetings at New Bern just before the Second Provincial Congress, six meetings between the Second and the Third Congress, and three between the Third Congress and the first Provincial Council. The first meeting of the Committee seems to have been on January 27, 1775; the last, August 14, 1775. This Committee was not lacking in firmness and extent of proceedings but these are in general similar to those of other counties discussed. The investigations were relative to matters of moment as illustrated through the intercepted letter of General Gage to Governor Martin in regard to hostile introduction of arms, etc., into the province, and another public letter of Governor Martin's in which he admits having thought of stirring up an insurrection of slaves. The minutes include an order against communication; comment on the destruction of Fort Johnson; censure of Rev. Mr. ——— for refusing to officiate at a service on the day set apart by the Continental Congress — the position of the minister being due to fear of losing a mission in foreign parts.

The meetings of the New Bern District Committee, as recorded, are nine in number; the first on January 16, 1776; the last February 24, 1776, thus indicating activity, for the District, between the Second and Third Provincial Councils.

The resolutions of this District Committee of New Bern include general and special rulings in military and commercial matters, with minute directions for sale of salt imported without sanction of Committee, the question of use of pro-

ceeds from said salt to be referred to the Provincial Congress. Orders were issued for suppression of insurrection in certain counties, the raising of troops for various localities, with provision of military force for Craven County during the absence of Caswell. Some action was entered into regarding defaulters, security debts, etc. A proceeding of no great import in itself will illustrate the general plan of the relation of town, county and district committees, and also mark another one of the references to otherwise unrecorded Districts. The situation referred to is as follows :

A request appears from the District Committee of Edenton to the town of New Bern for seizure of a certain ship going to sea contrary to the ruling of the Continental Congress. The Town of New Bern committee reported to the District Committee of New Bern the seizure of said vessel. The District Committee of New Bern recommended to the Town Committee the dismantling and guarding of the ship till orders could be obtained from Congress or Council of Safety. From this it would appear : (1) That the natural course of action was direct communication with the town whose services were needed rather than to the district. (2) That the formal appeal for instruction, from county to town, was of no practical value. The lack of District activity was evidently due to easily explained conditions.

Northampton County probably was guided to a greater extent by its Safety Committee than the one record which can be given here would demonstrate. The minutes of the meeting are for August 5, 1775, two weeks before the Third Provincial Congress. The record is for a judgment against a person on account of some handling of gunpowder in conveying it from Virginia to Hillsboro.

The Tryon County Committee meetings recorded extend from August 14, 1775, to February 6, 1776. The meetings seem distributed thus: one meeting just before the Third Provincial Congress, one between this Congress and the First Provincial Council, one just before the Second Provincial Council, and three before the Third Provincial Council.

The Resolves of the Tryon Committee appear full and extend over the usual range of procedure in other counties. Among the rulings may be noted: a permit for receiving ammunition from Charles Town; an order to a jailor in another county; some regulations regarding trial of suits in Inferior Courts and a special decision against extending any action to the point of inhumanity.

The five Surry County Committee meetings recorded were during the two months preceding the First Provincial Council, i. e., in August and September, 1775. The impression given by the minutes of the meetings is that the County dispatched the business of the Safety Committees with very little to vary the monotony of the regular. Certain papers termed "Protests," were condemned; there were rulings for the protection of creditors and the securing of ammunition, and the usual election and appointments.

There is a record of a meeting in Orange County on August 7, 1776, near the close of the fourth session of the Council of Safety. A complaint was here presented from some one who claimed to have been forced into military service under false pretences. In response, a resolution was passed commanding the appearance of the offending officer before the Committee or the Council of Safety.

This is the last Committee movement found in the minutes so far as this investigation has extended; but the references, as before stated, and also the correspondence of the period testify to other proceedings and reveal committees in other counties, this suggesting a wider range of action than that outlined here. A letter from Guilford County, dated August 23, 1776, is an appeal from a member of the Guilford County Safety Committee to the State Council of Safety for advice regarding the appointment of a company of Light Horse to apprehend the disaffected at a time when disapproval of such measures is evident. There is also on record a letter from the Council of Safety, then in Wake County, to the Guilford Committee, relative to certain prisoners, and approving of the company of Light Horse, provided it is under direct management of the Committee and used only when necessary.

In like manner the existence of a Committee of Pasquotank is seen through a letter to this Committee, giving instructions for trial by the Committee of some one suspected of having written a certain seditious paper.

So there is no doubt of activity in the State, besides that revealed through the minutes of meetings. Reference has been made to the evidence showing organization in the Districts of Salisbury, Halifax and Edenton and the counties of Onslow, Duplin, Brunswick, Cumberland, Perquimans, Guilford, and Pasquotank. Allusions to Wake and Bladen have also shown probability of organizations in these counties. In Mecklenburg, famed for its own early Declaration of Independence, the proceedings of meetings of citizens, signed P. S. (Public Safety), were in effect Safety Committee meetings; most of them occurred after the signing of the Declaration.

There were a number of Committee meetings, which occurred, as has been indicated, after the receipt at Halifax of the news of the Declaration of Independence in Philadelphia. The Resolutions at Halifax include instructions to the committees of the Safety Committees of the respective counties and towns to make public the Declaration. From this point in time, the proceedings of the Safety Committees pertain to local needs rather than to resolutions against Britain. The local committees were decreasing in importance with the increase in the functions of the Council of Safety. But, as has been said, the instructions and recommendations from the Council of Safety to the local committees were to the last a valuable aid to the Council government.

We find directions from the Council to the committees of the several counties and towns to obtain for transmission through the Council to the Continental Congress, accurate lists of inhabitants; to obtain from suspected persons and neutrals inventory of estates, and to send such persons before the Council; to the Committees of Duplin to regulate price and sale of salt; to the committees in general to secure inventory from persons showing disposition to undervalue Bills of Credit; to send

before the Council persons violating Council resolves, etc., etc. Persons were appointed to read the Declaration of Independence and the Resolutions of the Continental Congress in regard to treason, in the County of Cumberland. The appointment was accompanied by the comment, "As there is no committee in Cumberland," which would indicate the occasional disappearance in a County of the organized Safety Committee.

The correspondence of the period covers the military field of operations; the relations of the Provincial and government to the delegates in Congress; the connection of this government with the Systems in other States, and the inter-relations of the different features of government within the State. Through these letters we gain increased evidence of the efficiency of the Council and committees in the regulation of the military, civic and economic interests of the country. The plans of North Carolina, South Carolina, Virginia, and Georgia for cooperation, and the preparation for campaigns against Indians are prominent subjects of the correspondence. Among the communications of military import are those to and from General Moore, General Ashe, Colonel Folsome, General Rutherford, General Lee, Colonel Armstrong, General Howe and Colonel Butler. The inter-State communication is with men like Governor Rutledge, of South Carolina, (Gov.) Patrick Henry of Virginia, Henry Laurens, President of South Carolina Council of Safety, and President Page and Edmond Pendleton, of the Council of Safety of Virginia.

Within the State there is important correspondence with Samuel Johnston and Cornelius Harnett. North Carolina was also in close touch with her Continental delegates in Congress, and there was an occasional communication with Hancock, President of the Continental Congress.

Briefly stated, the government of the Provincial Council and the Committees of Safety in North Carolina, extending from September, 1775, to November 12, 1776, and embracing a system of two distinct stages, had its foundation in the

government by the Provincial Congress. This, in turn, was the result of preliminary organization of County Committees which seemed impelled to action by a call which came from patriots of Wilmington, and by a realization of the pressure of conditions combined with familiarity with committee government which had at least been utilized since the Assembly of 1773. There was steady, definite increase in the power of this government from the time of its complete embodiment in a well-defined system until it disappeared at the height of success through the culmination of its acts in the summoning of the State Constitutional Convention.

The benefit which the province received from the Provincial Council and the Committees of Safety seems to have been the supply of legislative, judicial and executive functions, at a time when the regular legislature had ceased to be possible, the courts had practically disappeared, and the Governor and his Council had lost all semblance of command. A better administrative system than that of the Council and committees was no doubt possible, and it was ushered in by the Constitutional Convention. This was not only created by the Council of Safety; its work was made possible by the preceding form of government which paved the way for its success. The province may have been subjected to arbitrary, oligarchical power bordering on tyranny, but underlying this there was at least disinterested purpose, and through this democracy seemed to emerge. The conception of law and order in democratic rule perhaps came to the state through the transition government. This may have been the basis for the functions of the later complex institutions of a government advanced and highly developed.

NOTE: The tabulated list of the meetings of Congress, Councils and Committees, at the close of this sketch, is not intended as exhaustive, final, or absolutely accurate so far as numbers and order of local sessions are concerned, nor even as to the number of counties included. It may be of value for illustration of the stages and development of independent colonial government; and some such form might serve as a basis for determining growth of committee activity and scope of committee relations through rough chronological grouping.

Appendix A

LIST OF MEETINGS OF LOCAL SAFETY COMMITTEES
(RECORDED IN TEXT)

ROWAN COUNTY (Salisbury)

Aug. 8, 1774	Nov. 8, 1775
Sept. 23, 1774	Nov. 9, 1775
Nov. 3, 1774	Nov. 10, 1775
June 1, 1775	Nov. 11, 1775
June 15, 1775	Feb. 6, 1776
Aug. 1, 1775	Feb. 7, 1776
Sept. 20, 1775	Feb. 8, 1776
Sept. 21, 1775	May 7, 1776
Sept. 25, 1775	May 8, 1776
Oct. 17, 1775	Aug. 7, 1776
Oct. 18, 1775	Aug. 22, 1776
Nov. 7, 1775	

PITT COUNTY (Martinboro)

Aug. 15, 1774	July 29, 1775
Oct. 27, 1774	Aug. 23, 1775
Nov. 3, 1774	Sept. 9, 1775
Nov. 17, 1774	Sept. 23, 1775
Dec. 17, 1774	Oct. 2, 1775
Feb. 11, 1775	Oct. 24, 1775
March 10, 1775	Oct. 25, 1775
March 24, 1775	Nov. 11, 1775
May 1, 1775	Dec. 16, 1775
May 13, 1775	Jan. 23, 1776
May 20, 1775	Jan. 24, 1776
May 27, 1775	Feb. 13, 1776
June 10, 1775	March 23, 1776
July 1, 1775	April 23, 1776
July 8, 1775	June 29, 1776
July 17, 1775	June 23, 1776

ANSON COUNTY

Aug. 18, 1776

JOHNSTON COUNTY

Aug. 12, 1774

GRANVILLE COUNTY

Aug. 15, 1774

CHOWAN COUNTY

Aug. 22, 1774 (Edenton)

Jan. 28, 1775 (House Mr. John Cofield)

March 4, 1775 (House Capt. James Sumner)

Oct. 15, 1776 (Edenton)

EDENTON

Feb. 4, 1775

HALIFAX

Aug. 22, 1774 (Town)

Dec. 21, 1774 (County)

Nov. 28, 1775

WILMINGTON

Nov. 23, 1774

Dec. 10, 1774

Dec. 14, 1774

Dec. 17, 1774

Dec. 19, 1774

Dec. 30, 1774

Dec. 31, 1774

Jan. 3, 1775

Jan. 5, 1775

Jan. 6, 1775

Jan. 20, 1775

Jan. 21, 1775

Jan. 27, 1775

Jan. 28, 1775

Jan. 30, 1775

Feb. 2, 1775

Feb. 3, 1775

Feb. 13, 1775

Feb. 20, 1775

Feb. 21, 1775

March 1, 1775

March 4, 1775

March 6, 1775	Oct. 17, 1775
March 7, 1775	Oct. 25, 1775
March 13, 1775	Oct. 30, 1775
March 20, 1775	Nov. 3, 1775
March 24, 1775	Nov. 13, 1775
April 4, 1775	Nov. 15, 1775
April 20, 1775	Nov. 16, 1775
May 20, 1775	Nov. 18, 1775
June 7, 1775	Nov. 20, 1775
June 17, 1775	Nov. 24, 1775
June—, 1775*	Dec. 7, 1775
July 3, 1775	Dec. 19, 1775
July 5, 1775	Dec. 20, 1775
July 7, 1775	Dec. 22, 1775
July 10, 1775	Jan. 5, 1776
July 12, 1775	Jan. 6, 1776
July 15, 1775	Jan. 19, 1776
July 20, 1775	Jan. 12, 1776
July 21, 1775	Jan. 15, 1776
July 27, 1775	Jan. 16, 1776
July 31, 1775	Jan. 17, 1776
August 8, 1775	Jan. 18, 1776
August 9, 1775	Jan. 20, 1776
August 9, 1775	Jan. 20, 1776
August 11, 1775	Jan. 22, 1776
August 17, 1775	Jan. 27, 1776
August 18, 1775	Jan. 28, 1776
August 19, 1775	Jan. 30, 1776
August 19, 1775	Feb. 2, 1776
August 21, 1775	Feb. 2, 1776
Oct. 5, 1775	Feb. 5, 1776
Oct. 11, 1775	Feb. 9, 1776
Oct. 16, 1775	March 7, 1776

*Exact date unknown.

DISTRICT OF WILMINGTON

June 20, 1775
June 21, 1775

CRAVEN COUNTY (New Bern)

Jan. 27, 1775	August 2, 1775
March 4, 1775	August 5, 1776
July 17, 1775	August 10, 1776
July 21, 1775	August 14, 1776

DISTRICT OF NEW BERN

Jan. 16, 1776	Feb. 21, 1776
Jan. 17, 1776	Feb. 22, 1776
Jan. 18, 1776	Feb. 23, 1776
Feb. 10, 1776	Feb. 24, 1776
Feb. 15, 1776	

NORTHAMPTON

Aug. 5, 1775

TRYON

August 14, 1775	Jan. (4th Tues.), 1776
Sept. 14, 1775	Jan.—, 1776*
Oct. 25, 1775	Feb. 6, 1776

SURRY

Aug. 25, 1775	Sept. 20, 1775
Aug. 26, 1775	Sept. 21, 1775

ORANGE

Aug. 27, 1776

*Exact date unknown.



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